

# **EXHIBIT 13**

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF MARYLAND

3 MARYLAND SHALL ISSUE, INC., :

4 et al. :

5 Plaintiffs,:

6 v. : Civil Case No.

7 LAWRENCE HOGAN, et al. : 16-cv-3311-MJG

8 Defendants.:

9 -----

10 CONTAINS CONFIDENTIAL INFORMATION

11 Deposition of JOHN MATTHEW CLARK

12 Baltimore, Maryland

13 Tuesday, March 27, 2018

14 9:05 a.m.

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16  
17  
18  
19  
20 Job No.: 179483

21 Pages: 1 - 33

22 Reported By: Dawn M. Hart, RPR/RMR/CRR

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Transcript of John Matthew Clark

Conducted on March 27, 2018

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1 A Yes.

2 Q Do you own any firearms?

3 A Yes.

4 Q How many?

5 A One.

6 Q What type?

7 A Handgun.

8 Q What type of handgun?

9 A 9-millimeter.

10 Q When did you get it?

11 A September 2013.

12 Q Does anybody else in the home own any  
13 firearms?

14 A No.

15 Q Do you have an HQ -- do you know what an HQL  
16 is?

17 A Yes.

18 Q Do you have one?

19 A No.

20 Q And the 9-millimeter gun that you have, how  
21 is that stored?

22 A A lockbox.

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1 Q How often do you use it?

2 A Just occasionally, to punch holes in paper.  
3 Target practice.

4 Q Okay. Got you.

5 Do you go to a range for that?

6 A Yes.

7 Q Which range?

8 A Hap Baker in Carroll County.

9 Q How far is that from your house?

10 A Maybe two miles.

11 Q Have you ever owned any other firearms?

12 A No.

13 Q How much did you pay for the gun?

14 A Maybe 400 and change.

15 Q Did you buy it new?

16 A Yes.

17 Q You have been identified in some discovery  
18 responses in this case as someone who has been  
19 deterred from purchasing a handgun by the requirements  
20 of obtaining an HQL. Are you aware of that?

21 A Yes.

22 Q Okay. What is your understanding of what

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1 you would need to do to obtain an HQL?

2 A See if I can remember. I'm exempt from the  
3 training because I previously owned a firearm, a  
4 handgun, if I remember right. I would have to find  
5 some place to have fingerprints taken, and pay, I  
6 believe it's a 75-dollar fee to the State, and I think  
7 that's it.

8 Q And these requirements have deterred you  
9 from purchasing a handgun?

10 A Yes.

11 Q What other handgun do you want to buy?

12 A I want to get -- mine's a small conceal  
13 carry. I wanted a larger, more comfortable to hold.

14 Q And why do you want this larger gun?

15 A Just more comfortable.

16 Q Do you have a particular type of handgun in  
17 mind that you want to purchase?

18 A Another 9-millimeter.

19 Q And have you shopped for that?

20 A No.

21 Q Do you know how much it would cost?

22 A Probably about the same, four to 500.

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1 Q Have you done any research to determine  
2 where you could have your fingerprints taken if you  
3 decided to apply for an HQL?

4 A I did when it -- when the requirement first  
5 came out. The place I would have used was Carroll  
6 County Sheriff's Office. The new Sheriff dropped the  
7 program.

8 Q When you say you did the research when the  
9 requirement first came out, are you saying in 2013?

10 A Yes.

11 Q So that would have been what time of the  
12 year in 2013? After you bought the gun that you have  
13 now, or before?

14 A After the law officially -- actually, it  
15 would have been 2014 because it was after it became  
16 law.

17 Q And was there anything in particular that  
18 prompted you to want to get this larger handgun at  
19 that time?

20 A When I bought the first one, I was beating  
21 the clock for all the laws that were being enacted and  
22 it was slim pickings so I didn't really have time to

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1 really choose the one that I wanted.

2 Q And do you keep the gun for any other  
3 purpose other than target practice?

4 A Home defense.

5 Q Anything else?

6 A No.

7 Q You don't use it to hunt?

8 A No.

9 Q So other than -- well, when you found out  
10 that -- how did you find out that the Sheriff in  
11 Carroll County was no longer offering fingerprinting  
12 services?

13 A It was a bulletin on their website.

14 Q Have you ever been fingerprinted before?

15 A Yes.

16 Q For what purpose?

17 A Job at -- with the -- as a Defense  
18 contractor.

19 Q When was that?

20 A 1996, 1997.

21 Q Is that the only time you've been  
22 fingerprinted?

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1           A       I was fingerprinted once as a kid with some,  
2       you know, I don't know what you call it. It was in a  
3       school, like with the child protection kidnaping  
4       thing.

5           Q       Okay. Any other times?

6           A       No.

7           Q       So once you found out that the Sheriff in  
8       Carroll County was no longer offering fingerprinting  
9       services, did you do any other research to determine  
10      where you could get your fingerprints taken for an  
11      HQL?

12          A       Just some very light research.

13          Q       What did you do?

14          A       Checked the forum messages at  
15      Marylandshooters.com to see who else was looking in my  
16      area.

17          Q       And did you -- is that a website?

18          A       Yes.

19          Q       And did you find out about any other  
20      fingerprinting services that you could use to get an  
21      HQL?

22          A       There were some. I don't recall finding any

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1 in Carroll County, but there were others around with  
2 varying fees.

3 Q What were the fees, do you remember?

4 A I think some were as high as 150.

5 Q What was the low?

6 A Seventy-five, I think.

7 Q Did any of these places that offered  
8 fingerprinting services for HQL licenses tell you that  
9 you had to do the fingerprinting only during business  
10 hours, Monday through Friday?

11 A No, I did not go that far.

12 Q So you don't know whether or not you could  
13 have it done on a weekend or in the evenings; is that  
14 correct?

15 A Correct.

16 Q Did you ever go on the Maryland State Police  
17 website to look -- to research additional places where  
18 you could have your fingerprints taken for an HQL  
19 application?

20 A I did once.

21 Q And what was the result of that?

22 A I honestly don't remember. Their website

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1 was not the easiest to navigate.

2 Q And what year was it that you looked at the  
3 MSP website?

4 A 2014.

5 Q Have you done any research since 2014 to  
6 find out where you could have your fingerprints taken  
7 for an HQL license?

8 A No.

9 Q What specifically about the HQL laws has  
10 deterred you from purchasing a handgun?

11 A Its existence.

12 Q What about -- I mean what -- when you say  
13 its existence, are there specific aspects of the law  
14 that have deterred you?

15 A I believe it to be unconstitutional.

16 Q I understand that. I'm asking you what  
17 about the law has deterred you from purchasing a  
18 handgun.

19 MR. HANSEL: Objection. Asked and answered.

20 A I -- well, I can't purchase one without the  
21 HQL, and I have to go and spend extra money to get the  
22 HQL.

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1 Q So it's the money that's deterred you, the  
2 cost?

3 MR. HANSEL: Objection.

4 A And the principle.

5 Q When you say the principle, what do you  
6 mean?

7 A That I believe it to be unconstitutional.

8 Q All right. So the fact that you believe  
9 it's unconstitutional has deterred you, the cost has  
10 deterred you. Is there anything else that's deterred  
11 you from getting the HQL?

12 A No.

13 Q How did you learn that you needed an HQL to  
14 purchase a handgun in Maryland?

15 A The Marylandshooters.com website.

16 Q And what is your -- so you told me that the  
17 fingerprinting would cost, based on your research,  
18 between 75 and \$150, right?

19 A Yes.

20 Q And you said you believed that the HQL fee  
21 that you have to pay to the State is \$75, correct?

22 A Correct.

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1           Q     Are there any other costs associated -- that  
2     you believe are associated with obtaining an HQL?

3           A     Only -- I believe there is a renewal fee  
4     every five years, I think.

5           Q     And how much is that?

6           A     I'm not sure. I know it's less than -- I  
7     believe it's less than 75.

8           Q     Are there any other costs that you believe  
9     you have to pay to get or keep an HQL other than the  
10    fingerprinting, the fee paid to the State and the  
11    renewal fee?

12          A     For me personally, no.

13          Q     And you believe you're exempt from the  
14    training requirement; is that right?

15          A     Yes.

16          Q     How did you learn that?

17          A     It was one of the exemptions listed on the  
18    MSP website.

19          Q     Have you ever called anybody at MSP and  
20    talked to them about an HQL application or the  
21    requirements for an HQL permit?

22          A     No.

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1 Q Have you ever begun an HQL application?

2 A No.

3 Q Have you done any research to determine how  
4 long it would take you to get your fingerprints done  
5 for an HQL application?

6 A No.

7 Q So sitting here today, you don't know how  
8 long that would take; is that correct?

9 A I mean I could guess that it would be --

10 MR. HANSEL: Don't guess. Just answer.

11 He's asking if you know one way or the other.

12 A No, I do not know.

13 Q How often do you go to the shooting range  
14 for target practice?

15 A It varies. Usually at least once a month.

16 Q Have you ever been the victim of criminal  
17 violence?

18 A No.

19 Q Has anybody in your family ever been the  
20 victim of criminal violence?

21 A Yes.

22 Q Who?

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